

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

THOMAS COSTELLO, MEGAN BAASE
KEPHART, OSAMA DAOUD, *et al.*,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

BEAVEX INC.,

Defendant.

Case No. 12-cv-7843

Judge Virginia M. Kendall

Magistrate Judge Mary M. Rowland

**PLAINTIFFS' ASSENTED TO MOTION FOR AN EXTENSION OF THE PAGE LIMIT
FOR PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT
AND MOTION FOR CLASS CERTIFICATION**

Pursuant to Local Rule 7.1 Plaintiffs' hereby respectfully request an extension of the 15 page limit set forth in the District Court for the Northern District of Illinois Local Rules. Specifically, Plaintiffs request that the Court extend the page limit for Plaintiffs' Partial Motion for Summary Judgment from 15 pages to 19 pages, and that the Court extend the page limit for Plaintiffs' Motion for Class Certification from 15 pages to 24 pages. As grounds for this motion Plaintiffs state as follows:

1. On September 10, 2013, Plaintiffs' counsel contacted Defendant's counsel regarding the instant motion, and Defendant agrees to Plaintiffs' requested extension of the page limits for their Partial Motion for Summary Judgment and Motion for Class Certification. Additionally, Plaintiffs agree that Defendant should be provided equal extensions of the page limit for their response briefs.
2. The central issue presented in Plaintiffs' motions, namely, employee misclassification under the Illinois Wage Payment and Collection Act ("IWPCA"), 820 Ill. Comp. Stat.

115 *et seq.*, is an issue of first impression in the District Court for the Northern District of Illinois. As a result, Plaintiffs' discussion and analysis is lengthier than would normally be required.

3. Pursuant to Rule 23 of the Federal Rules of Civil Procedure, Plaintiffs must satisfy 6 factors to proceed on a class-wide basis, numerosity, commonality, typicality, adequacy, predominance and superiority. Curry v. Kraft Foods Global, Inc., 2011 WL 4036129, at * 2 (N.D. Ill. Sept. 12, 2011). Each of these factors requires analysis. Additionally, pursuant to Rule 23, Plaintiffs must demonstrate that their claims can be adjudicated on a class-wide basis through common evidence. Accordingly, Plaintiffs have included in their motion a lengthy discussion of the common evidence, and how that evidence applies to Plaintiffs' claims. As a result, Plaintiffs motion exceeds the page limit set forth in the local rules.

Accordingly, Plaintiffs respectfully request that the Court GRANT this assented to motion and extend the page limit for Plaintiffs' Partial Motion for Summary Judgment from 15 pages to 19 pages, and that the Court extend the page limit for Plaintiffs' Motion for Class Certification from 15 pages to 24 pages.

Date: September 10, 2013

Respectfully submitted,
THOMAS COSTELLO, MEGAN BAASE
KEPHART, and OSAMA DAOUD

By their attorneys,

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CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that a copy of the attached, **Motion to Extend Page Limit**, was sent to the individuals listed below by electronically filing the same with the Clerk of the U.S. District Court of the Northern District of Illinois on September 10, 2013.

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